


**DiCello Levitt & Casey**

Representing individuals, businesses, institutional investors, and public clients, DiCello Levitt & Casey's attorneys have successfully prosecuted and settled numerous complex cases and class actions, resulting in billions of dollars in recoveries for their clients. Founders Mark DiCello, Adam Levitt, and James Casey lead a top-notch team of recognized leaders—acknowledged as Super Lawyers and Leading Lawyers by *Law Dragon*, and AV-Rated by Martindale-Hubbell—who all share a collective depth of experience and steadfast commitment to justice. Their tireless advocacy on behalf of their clients is well-known, most recently leading Mike Bowers, Georgia's former Attorney General, to characterize a settlement obtained by Adam Levitt and Amy Keller a "work of art," and "one of the best pieces of legal work I have ever observed." Based in Chicago and Cleveland with a nationwide practice, the firm's attorneys have successfully led—and are presently leading—many large class and multidistrict actions.

**Data Breach and Internet Privacy Litigation**

<i>In re Adobe Systems, Inc. Privacy Litig.</i> , No. 13-cv-05226 (N.D. Cal.)	Data breach affecting 38 million customer accounts.	Executive Committee
<i>In re Sony Gaming Networks and Customer Data Security Breach Litig.</i> , No. 11-md-02258 (S.D. Cal.)	Data breach case affecting 77 million accounts.	Co-Lead Counsel
<i>In re Michaels Stores Pin Pad Litig.</i> , No. 11 C 3350 (N.D. Ill.)	Data breach lawsuit concerning compromised payment information.	Co-Lead Counsel
<i>In re Pharmatrak, Inc. Privacy Litig.</i> , No. 00-11672 (D. Mass.)	Internet privacy lawsuit related to collection of personal information without consent.	Co-Lead Counsel
<i>In re DoubleClick, Inc. Privacy Litig.</i> , No. 00-civ0641 (S.D.N.Y.)	Internet privacy class action.	Class Counsel
<i>Supnick v. Amazon.com, Inc.</i> , No. C00-0221P (W.D. Wash.)	Internet privacy lawsuit related to installation of tracking software.	Co-Lead Counsel
<i>Chance v. Avenue A, Inc.</i> , No. C00-1964C (W.D. Wash.)	Internet privacy class action.	Co-Lead Counsel

**Class Actions and Multidistrict Litigation**

<i>Champs Sports Bar &amp; Grill v. Mercury Payment Systems, LLC</i> , No. 16-cv-00012 (N.D. Ga.)	Card processing fee class action. Nationwide settlement of \$52 million.	Co-Lead Counsel
<i>In re Wells Fargo ERISA 401(k) Litigation</i> , No. 16-cv-3405 (PJS/BRT) (D. Minn.)	ERISA class action on behalf of retirement plan participants, arising out of the false accounts scandal.	Lead Counsel
<i>Sloan v. General Motors LLC</i> , Case No. 16-cv-07244-EMC (N.D. Cal.)	Oil ring defect class action.	Co-Lead Counsel

<i>In re Volkswagen "Clean Diesel" Marketing, Sales Practices and Products Liability Litigation</i> , MDL No. 2672 CRB (JSC) (N.D. Cal.)	Vehicle emissions/defeat device class action litigation. Over \$11 billion in total settlements for consumers.	Plaintiffs' Steering Committee
<i>In re General Motors LLC Ignition Switch Litig.</i> , No. 14-md-2542 (S.D.N.Y.)	Ignition switch defect class action.	Executive Committee
<i>In re Navistar Maxxforce Litig.</i> , No. 14-cv-5249 (N.D. Ill.)	Nationwide truck emissions control system defect class action.	Co-Lead Counsel
<i>Johnson, et al. v. Ford Motor Co.</i> , No. 13-cv-6529 (S.D. W. Va.)	Sudden unintended acceleration defect class action.	Co-Lead Counsel
<i>In re MyFord Touch Consumer Litig.</i> , No. 13-cv-3072 (N.D. Cal.)	Communications and entertainment system design defect class action.	Co-Lead Counsel
<i>Roberts, et al. v. Electrolux Home Prods., Inc.</i> , No. 12-cv-1644 CAS (C.D. Cal.)	Defective dryer class action. \$35.5 million nationwide settlement value.	Co-Lead Counsel
<i>In re Imprelis Herbicide Mktg., Sales Practices, and Prods. Liab. Litig.</i> , MDL No. 2284 (E.D. Pa.)	Tree and shrub damage from defective herbicide class action. \$550 million settlement.	Co-Lead Counsel
<i>In re Porsche Cars Plastic Coolant Tubes Litig.</i> , MDL No. 2233 (S.D. Ohio)	Nationwide class action involving defective engine coolant tubes. \$45 million settlement.	Co-Lead Counsel
<i>In re: Reebok Easytone Litig.</i> , No. 10CV11977 (D. Mass.)	False advertising class action resulting in \$25 million, non-reversionary settlement fund.	Class Counsel
<i>In re StarLink Corn Products Liability Litig.</i> MDL No. 1403 (N.D. Ill.)	Class action concerning contamination of U.S. corn supply with unapproved genetically modified trait. \$110 million settlement.	Co-Lead Counsel
<i>In re Genetically Modified Rice Litig.</i> , MDL No. 1811 (E.D. Mo.)	Mass tort concerning contamination of U.S. rice supply. Aggregate settlements exceeding \$1.1 billion.	Co-Lead Counsel

#### Public Client Litigation

<i>State of New Mexico v. Volkswagen Group of America, Inc., et al.</i> , No. D-101-CV-2016-00131 (N.M. First Judicial Dist. Ct., Santa Fe)	Vehicle emissions/defeat device statutory penalty litigation.	Lead Counsel
<i>State of New Mexico, ex rel. Hector H. Balderas v. Takata Corporation, et al.</i> , No. D- 101-CV-2017-00176 (N.M. First Judicial Dist. Ct., Santa Fe)	Defective airbags statutory penalty litigation.	Lead Counsel

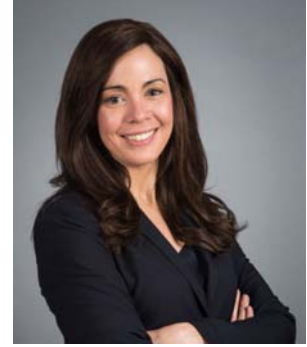
***Amy E. Keller is a Super Lawyers Rising Star, developing a national profile in consumer protection litigation.***

Amy E. Keller, a partner at DiCello Levitt & Casey, has experience successfully litigating a variety of class action cases in leadership positions across the United States. *See, e.g., Gengler v. Windsor Window Company, et al.*, No. 16-cv-00180 (E.D. Wis.) (appointed to plaintiffs' steering committee); *Catalano v. BMW of North America, LLC, et al.*, No. 15-cv-04889 (S.D.N.Y.) (appointed interim settlement counsel for nationwide settlement providing repair and replacement of certain electrical parts in automobiles); *Roberts, et al. v. Electrolux Home Prods., Inc.*, No. 12-cv-01644 (C.D. Cal.) (appointed co-lead settlement counsel in nationwide settlement benefitting owners of certain allegedly-defective clothes dryers).

Ms. Keller's expertise spans a wide variety of practice areas and topics—including statutory standing and warranty-based claims in data breach and privacy litigation. *See In re VTech Data Breach Litigation*, No. 15-cv-10889 (N.D. Ill.). Ms. Keller's experience also extends to the development of briefing and strategy at the district and appellate court level concerning ascertainability of class members in consumer class actions, complex personal jurisdiction challenges in multi-state cases, the use of conjoint analysis in determining damages, and the enforceability of arbitration clauses in consumer contracts. *See, e.g., Conagra Brands, Inc. v. Briseno, et al.*, 138 S. Ct. 313 (2017); *Bell v. PNC Bank, Nat. Ass'n*, 800 F.3d 360 (7th Cir. 2015); *Grasso, et al. v. Electrolux Home Prods., Inc.*, No. 16-cv-00911 (M.D. Fla.); and *Elward v. Electrolux Home Prods., Inc.*, No. 15-cv-09882 (N.D. Ill.); among others.

As a two-time chair of the Chicago Bar Association Class Action Committee, Ms. Keller led discussion, and arranged continuing legal education courses on a number of issues related to data breach cases, statutory damages, settlement structuring, and arbitration clauses contained in "click-wrap" agreements found online. She has given a number of presentations on topics impacting large-scale consumer class actions, including presentations on emerging legal issues in technology and privacy matters and in consumer cases. Chicago Bar Association Class Action Committee Winter Seminar, *Class Actions and the Trump Administration* (2017); Women's Bar Association of Illinois, *Panel on Emerging Issues in Privacy and Technology Law* (2017); Perrin Class Action Litigation Conference, *Current Trends in Product Liability Class Action Litigation* (2016); Chicago Bar Association, *2015 Annual Spring Seminar on Class Action Litigation* (2015). Ms. Keller also has considerable familiarity with a wide range of unfair competition laws, and has offered extensive commentary concerning proposed changes to the Federal Rules of Civil Procedure as Co-Chair of the American Bar Association's Section of Litigation Rule 23 Subcommittee.

Ms. Keller has been recognized by Illinois Super Lawyers for the past two years as a "Rising Star," and currently serves as a board member of Public Justice, a not-for-profit legal advocacy organization protecting consumers, employees, civil rights, and the environment. She is also a member of the Chicago Bar Association and its Cyber Law and Data Privacy Committee, and the Illinois State Bar Association, where she is also a member of the Privacy and Information Security Law Section.



**Amy E. Keller**  
DiCello Levitt & Casey LLC  
Partner

EMAIL:  
[akeller@dlcfirm.com](mailto:akeller@dlcfirm.com)

PHONE:  
312.214.7900

EDUCATION  
The John Marshall Law School, J.D.  
(2008)

The University of Michigan, B.A.  
(2005)

***Adam operates one of the nation's leading commercial litigation practices, having achieved billions in recoveries for his clients.***

A founding partner of DiCello Levitt & Casey, Adam Levitt is one of the nation's leading advocates for plaintiffs in class action, mass tort, public client, and commercial litigation. Mr. Levitt has extensive experience leading multidistrict and other nationwide class action lawsuits, with a substantial focus on Internet and technology law.

Recognized as a "pioneer" in the data protection and Internet privacy field by Judge James Ware, former Chief Judge of the United States District Court for the Northern District of California, Mr. Levitt has served in leadership roles in a variety of data breach, privacy, and technology cases, including *In re Adobe Systems, Inc. Privacy Litig.*, No. 13-cv-05226 (N.D. Cal.); *In re Sony Gaming Networks and Customer Data Security Breach Litig.*, No. 11-md-02258 (S.D. Cal.); *In re Michaels Stores, Inc., Pin Pad Litigation*, No. 11-cv-03350 (N.D. Ill.); *In re RealNetworks, Inc. Privacy Litig.*, MDL No. 1366 (N.D. Ill.); *Supnick v. Amazon.com, Inc.*, No. C00-0221P (W.D. Wash.); *In re DoubleClick, Inc. Privacy Litig.*, No. 00-CIV0641 (NRB) (S.D.N.Y.); *Chance v. Avenue A, Inc.*, No. C00-1964C (W.D. Wash.); and *In re Pharmatrak, Inc. Privacy Litig.*, No. 00-11672-JT (D. Mass.). Several of these cases are the key cases in the data protection and Internet privacy field and have been instrumental in creating the jurisprudential framework for this type of class and direct litigation. For example, *Supnick* was the first case in which a nationwide class was certified under the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2522 ("ECPA"), based on the court's holding that "interpretation of the relevant privacy policies presents a common question of law or fact that can be resolved by this Court." *Supnick*, No. C00-0221P, 2000 U.S. Dist. LEXIS 7073, 3-5 (W.D. Wash. May 18, 2000). In *Pharmatrak*, the First Circuit reversed summary judgment on the grounds that the "consent" and "intended recipient" exceptions to the ECPA can be limited by contractual representations. *In re Pharmatrak*, 329 F.3d 9, 19-21 (1st Cir. 2003).

Mr. Levitt has also had substantial success leading cases outside of the data protection and Internet privacy fields. As co-lead counsel in three of the largest biotechnology class actions in history, he recovered more than \$1.7 billion for class members: *In re Genetically Modified Rice Litig.* (securing settlements exceeding \$1.1 billion); *In re Imprelis Herbicide, Sales Practice and Products Liability Litig.* (\$550 million settlement); and *In re StarLink Corn Products Liability Litig.* (\$110 million settlement). Courts have appointed Mr. Levitt to numerous other leadership positions, as described in the foregoing chart.

Nationally recognized as an authority on class action litigation, Mr. Levitt is a frequent speaker on consumer protection, multidistrict litigation, and Internet privacy. He has testified before the Illinois Supreme Court Rules Committee on class action practice and chairs an annual class action litigation conference in Chicago. In addition to receiving the Burton Award for Finest Law Firm Writer (2017), and the American Agricultural Law Association's Professional Scholarship Award (2017) for his legal writing related to novel legal theories in various types of cases, Mr. Levitt has an "AV" rating from Martindale-Hubbell and has been named an Illinois Super Lawyer every year since 2012.



**Adam J. Levitt**  
DiCello Levitt & Casey LLC  
Partner

EMAIL:  
[alevitt@dlcfirm.com](mailto:alevitt@dlcfirm.com)

PHONE:  
312.214.7900

EDUCATION  
Northwestern University School  
of Law, J.D. (1993)

Columbia College,  
Columbia University, A.B.,  
*magna cum laude* (1990)